2022

Domestic Violence Guidelines

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POST Guidelines — Domestic Violence Guidelines

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FOREWORD

Penal Code (PC) Section 13519 requires the Commission on Peace Officer Standards and Training to establish guidelines and training for law enforcement response to domestic violence. The original publication on this topic was produced and provided to law enforcement in 1988.

These updated guidelines reflect recent law changes and contemporary thinking concerning domestic violence. They are deliberately brief and are intended to be elaborated upon by law enforcement administrators and training presenters.

It is important that law enforcement agencies create and enforce policies that comply with the domestic violence statutes. Agencies are also encouraged to establish partnerships with advocacies, health care providers, and community resources within their jurisdiction. These collaborative efforts best serve the victims and families and send the message to the batterer and the community that domestic violence is a crime that will not be tolerated.

For questions concerning the guidelines, please contact the Management Counseling and Projects Bureau at (916) 227- 3893.

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Executive Director

June 26, 2022

Contents

FOREWORD v

INTRODUCTION 1

HISTORICAL IMPACT 3

ENFORCEMENT OF LAWS 4

GUIDELINE 1 Dispatcher Response to Domestic Violence and Violation of Court Orders Calls 4

GUIDELINE 2 Law Enforcement Response 4

LAW ENFORCEMENT ARREST 6

GUIDELINE 3 Probable Cause for Felony Arrest 6

GUIDELINE 4 Probable Cause for Misdemeanor Arrest or Violation of Protective Orders 6

GUIDELINE 5 Dual Arrest 8

CITIZEN'S ARREST 9

GUIDELINE 6 Good Faith Effort to Inform Victim of Right to Citizen's/Private Person's Arrest 9

GUIDELINE 7 Citation Releases 9

RESTRAINING AND PROTECTIVE ORDERS 11

GUIDELINE 8 Request Emergency Protective Orders When Appropriate 11

GUIDELINE 9 Obligation to Maintain Records and Enforce Restraining Orders 11

GUIDELINE 10 Tenancy 13

WEAPONS 14

GUIDELINE 11 Weapons 14

REPORTS 15

GUIDELINE 12 Report Documentation 15

CHILDREN 16

GUIDELINE 13 Interaction with Children 16

VICTIM ASSISTANCE MANDATES 17

GUIDELINE 14 Emergency Assistance to Victims [PC Section 13701(c)7] 17

GUIDELINE 15 Advise Victims of their Rights 17

GUIDELINE 16 Written Notice to Victims 17

INTRODUCTION

Historically, law enforcement agencies utilized a variety of dispute resolution methods as alternatives to an arrest in domestic violence incidents. Public sentiment, lack of prosecution of domestic violence cases, and departmental priorities represented some of the factors that influenced law enforcement officers to make no arrest in a majority of cases.

In January 1986, Senate Bill (SB) 1472 (Watson) modified PC Sections 13519, and 13700 et seq to focus on the importance of law enforcement response to domestic violence in the State of California. It was the intent of the Legislature to address domestic violence as a serious crime against society, to assure victims of domestic violence the maximum protection from abuse, and to communicate the attitude that violent behavior in the home is criminal behavior and will not be tolerated.

PC Section 13701 specifically mandates all law enforcement agencies to develop, adopt, and implement written policies and standards that define response and handling of domestic violence calls for service and investigations. The guidelines were originally produced in 1986 to assist law enforcement in developing their policies to comply with PC Section 13701.

In October 2019, SB 273 (Rubio) modified PC Section 13519 to increase training for law enforcement to ensure victims are protected, prevent future domestic violence from occurring, and to allow for victims of domestic violence to come forward by extending the statute of limitations to five years in order to ensure those victims see justice. This 2022 update is designed to serve as a reference for agencies electing to review and revise current domestic violence policies. Departmental policies and procedures may be more specific than and may supersede, these guidelines.

It is not the intent of the Legislature to remove a peace officer's individual discretion, nor is it the intent of the Legislature to hold individual peace officers liable for exercising such discretion.

The investigation of domestic violence cases can place officers in high-risk situations due to the emotionally charged involved parties. Officers shall exercise officer safety and reasonable care for the safety of the parties involved. No provision of this guideline shall supersede that responsibility.

The Penal Code specifies the following definitions, which are included for clear understanding of these guidelines. The definitions in this section do not define specific crimes but establish the categories when specific mandates apply.

- "Abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to himself, herself, or another [PC Section 13700(a)].
- "Domestic Violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship.
- "For purposes of this document, "cohabitant" means two unrelated persons living together for a substantial period of time resulting in some permanency of relationship. Factors that may assist in determining whether persons are cohabiting include, but are not limited to, 1) sexual relations between the parties while sharing the same living quarters, 2) sharing of income or expenses, 3) joint use or ownership of property, 4) whether the parties hold themselves out as husband and wife, 5) the continuity of the relationship, and 6) the length of the relationship [PC Section 13700(b)].
- "Dating Relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations [PC Section 243(f)(10)].
- "Traumatic Condition" is a condition of the body, such as a wound or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, "strangulation" and "suffocation" include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck [PC Section 273.5 (d)].
- "Dual Arrest" means an arrest of more than one party involved in the domestic violence incident.

HISTORICAL IMPACT

In SB 273, the Legislature declared the following:

- More than one in three women and one in four men in the United States have experienced rape, physical violence, or stalking by an intimate partner in their lifetime.
- One in five female high school students report being physically or sexually assaulted by a dating partner.
- Many perpetrators of domestic violence were themselves abused.
- Better education and resources can help prevent domestic violence from occurring.
- When domestic violence occurs, the statute of limitations varies depending on the crime committed and can be as short as one year.
- Victims may not report a crime for myriad reasons, including their age at the time of abuse, ongoing trauma, threats from the perpetrator, or lack of evidence.
- Without resources or any intervention, many perpetrators of domestic violence will abuse multiple partners.
- Often communities of color experience higher levels of violence and incarceration related to domestic violence.

ENFORCEMENT OF LAWS

GUIDELINE 1 Dispatcher Response to Domestic Violence and Violation of Court Orders Calls

1. Agencies shall develop, adopt, and implement written policies and standards for dispatchers' response to domestic violence calls reflecting that calls reporting threatened, imminent, or on-going domestic violence shall be ranked among the highest priority calls (PC Section 13702).
2. Dispatchers are not required to verify the validity of a protective order before responding to the request for assistance.

GUIDELINE 2 Law Enforcement Response

1. Responding to Domestic Calls are potentially the most dangerous calls that law enforcement handle. First responders must be prepared to know how to manage these calls to ensure everyone is safe. Constantly seek to learn more about the dynamics and effective strategies to provide for the best possible outcomes for everyone involved.
    a. At a minimum, law enforcement officers should consider these factors when interviewing the victim:
        i. Determine the nature and extent of domestic violence by evaluating the cycle of violence and signs indicated by the power and control wheel
        ii. Ensure the interview occurs in a venue separate from the alleged perpetrator, consider sound barriers
        iii. Include questions to determine if they would like a follow-up visit for needed support or resources, information on protective orders or gun violence restraining orders
        iv. Assess trauma, injuries, and signs of escalation toward lethal violence in each domestic violence situation
    b. Contact with the suspect
        i. Apply appropriate de-escalation strategies
        ii. Discuss services and resources, including a diversion program, if applicable
2. California Domestic Violence legislation encourages the creation of agency policies that promote arrest where there is reasonable cause or probable cause that a domestic violence offense has been committed (PC Section 13701 amended 1/1/96). The following factors, for example, should not be used to avoid making an arrest:

a. Whether or not the suspect lives on the premises with the victim
b. Existence or lack of restraining/protective orders
c. Complainant's preference that an arrest be made, or not be made
d. Occupation, community status, and/or potential financial consequences of arrest
e. Complainant's history of prior complaints
f. Verbal assurances that the violence will cease
g. Complainant's emotional state
h. Non-visible injuries
i. Location of the incident (public/private)
j. Speculation that complainant may not follow through with the prosecution
k. Speculation that the case may not result in a conviction
l. Assumptions that violence is more acceptable in certain cultures
m. Language barriers and/or immigration status, or
n. Sexual preference/orientation

LAW ENFORCEMENT ARREST

GUIDELINE 3 Probable Cause for Felony Arrest

1. Officers should make an arrest when there is probable cause that a felony has been committed. Considerations specific to domestic violence include:
2. A covered relationship existing between the parties for an adult or minor
    a. Corporal Injury inflicted resulting in a traumatic condition (PC Section 273.5) and/or
    b. Another felony crime that is determined to be domestic violence related which may include, but is not limited to:
        - PC Section 262: Spousal Rape
        - PC Section 422: Criminal threats
        - PC Section 236: False imprisonment using violence, menace, fraud, or deceit
        - PC Section 591: Malicious destruction of telephone lines
        - PC Section 236.1 (h): Coercion to impede the investigation or prosecution
        - PC Section 136.1: Preventing or dissuading a witness or victim from testifying

GUIDELINE 4 Probable Cause for Misdemeanor Arrest or Violation of Protective Orders

1. Officers may make an arrest when there is probable cause to believe that a misdemeanor has occurred in their presence.
2. Officers may make a warrantless arrest when [PC Section 836(d)]:
    a. The officer has probable cause to believe that an assault or battery has occurred
    b. The arrest is made as soon as reasonable cause arises, and
    c. The covered parties are as follows:
        i. Current or former spouse, fiancé, fiancée
        ii. Current or former cohabitant as defined in Family Code Section 6209
        iii. A person with whom the suspect currently is having, or has previously had, an engagement or dating relationship, as defined in PC Section 243(f)(10)
        iv. A child of the suspect, a child whose parentage by the suspect is the subject of an action under the Uniform Parentage Act, a child of a person

in one of the above categories

v. Any other person related to the suspect by consanguinity or affinity within the second degree, or

vi. Any person who is 65 years of age or older and who is related to the suspect by blood or legal guardianship [PC Section 836(d)]

3. Officers shall make an arrest without a warrant or citizen's/private person's arrest whether or not the offense was committed in their presence for violations of certain domestic violence protective or restraining orders.

4. Officers shall, consistent with PC Section 13701(b), make a lawful arrest of the person without a warrant and take that person into custody whether or not the violation occurred in the presence of the arresting officer [PC Section 836(c)(1)] under the following conditions:

   a. When a peace officer is responding to a call alleging a violation of domestic violence protective or restraining order, stalking emergency protective order, or elder abuse restraining order issued under the Family Code, Code of Civil Procedure (CCP) Section 527.6, Welfare and Institution Code (WI) Section 213,5, PC Section 136.2, or PC Section 1203.097(B).

   b. If a domestic violence protective or restraining order has been issued by the court of another state, tribe, or territory, and the peace officer has probable cause to believe that the restrained party committed an act in violation of the order and had notice of the order and its conditions.

5. A domestic violence related misdemeanor may include, but is not limited to:

   a. PC Section 243(e)(1): Battery

   b. PC Section 653 (m): Telephone calls or contact by electronic device with the intent to annoy

   c. PC Section 591.5: Malicious destruction of electronic communications

   d. PC Section 273.6: Violation of Domestic Violence Restraining Orders

   e. PC Section 518 and PC 519: Extortion and the use of fear

   f. PC Section 530.5: Identity Theft through an internet website or other electronic means

   g. PC Section 528.5: False personation, receiving money or property and mail theft

   h. PC Section 646.9: Stalking, including by telephone or electronic communication

   i. PC Section 647(j)(4): Non-consensual pornography

   j. PC Section 594: Vandalism

GUIDELINE 5 Dual Arrest

These polices discourage, but do not prohibit, dual arrest. Peace officers shall make reasonable efforts to identify the dominant aggressor in any incident [PC Section 13701(b)].

The dominant aggressor is the person determined to be the most significant, rather than the first, aggressor. To determine the dominant aggressor, officers will consider:

1. The intent of the law to protect victims of domestic violence from continuing abuse
2. Threats creating fear of physical injury
3. The history of domestic violence between the persons involved, or
4. Whether either person acted in self-defense

These same considerations shall apply in situations where mutual protective orders have been issued [PC Section 836(c)(3)].

CITIZEN'S ARREST

GUIDELINE 6 Good Faith Effort to Inform Victim of Right to Citizen's/Private Person's Arrest

1. Any time a peace officer is called to a domestic violence incident and cannot make an arrest, the officer shall make a good faith effort to inform the victim of his or her right to make a citizen's arrest. This information shall include advising the victim how to safely execute the arrest [PC Section 836(b)].

2. Officers shall not attempt to dissuade the victim from the decision to make a citizen's/private person's arrest.

3. There is no civil liability on the part of, and no cause of action shall arise against, any peace officer, acting within the scope of their authority, for false arrest or false imprisonment arising out of any arrest under any of the following circumstance [PC Section 847(b)]:

    - the arrest was lawful or the peace officer, at the time of the arrest, had reasonable cause to believe the arrest was lawful
    - the arrest was made pursuant to a charge made, upon reasonable cause, of the commission of a felony by the person to be arrested, or
    - the arrest was made pursuant to PC Sections 142, 837, 838, or 839

GUIDELINE 7 Citation Releases

1. If a person is arrested for a misdemeanor violation of a protective order involving domestic violence, as defined in PC Section 13700(b), or arrested pursuant to a policy, as described in PC Section 13701, the person shall be taken before a magistrate instead of being released according to the procedures set forth in this chapter, unless the arresting officer determines there is not a reasonable likelihood that the offense will continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested. Prior to adopting these provisions, each city, county, or city and county shall develop a protocol to assist officers to determine when arrest and release is appropriate, rather than taking the arrested person before a magistrate. The county shall establish a committee to develop the protocol, consisting of, at a minimum, the police chief or county sheriff within the jurisdiction, the district attorney, county counsel, city attorney, representatives from domestic violence shelters, domestic violence councils, family justice center, survivor, and other relevant community-based or culturally specific organizations/agencies (PC Section 853.6).

2. This subdivision shall not apply to the crimes in PC Section 1270.1, including crimes defined in each of the following:

    a. PC Section 243(c)(1)

b. PC Section 273.5

c. PC Section 273.6, if the detained person made threats to kill or harm, has engaged in violence against, or has gone to the residence or workplace of, the protected party

d. PC Section 646.9

3. Officers considering the release of a suspect on a citation shall evaluate the likelihood of a continuing offense and statutory conditions under which a field release is not appropriate. Any of the following may support the likelihood of a continuing offense:

   a. Suspect has a prior history of, or arrests or citations involving domestic violence

   b. Suspect is violating a criminal court stay-away order

   c. Suspect has previously violated, or is currently violating, a valid restraining/ protective order

   d. Suspect has a prior history of other assaultive behavior (e.g., arrest/convictions for battery or aggravated assaults)

   e. Statements of the victim or witnesses that the suspect has a history of physical abuse

   f. Statements of the victim or witnesses expressing fear of retaliation or further violence should the suspect be released, or

   g. Information obtained about the suspect's alcohol or drug abuse, access to weapons, suicide threats or attempts, threats of kidnapping family members, or a history of mental illness

RESTRAINING AND PROTECTIVE ORDERS

GUIDELINE 8 Request Emergency Protective Orders When Appropriate

1. An officer shall inform the person for whom the Emergency Protective Order (EPO) may be sought their right to request an EPO (FC Section 6275).
2. An officer may request an ex parte Emergency Protective Order (EPO) from an on-call judge if there are reasonable grounds to believe.
    a. A person is in immediate and present danger of domestic violence
    b. A child is in immediate and present danger of abuse by a family or household member
    c. A child is in danger of abduction by a family member
    d. A person is in danger of, or has been stalked, or
    e. An elderly person or dependent adult is in immediate and present danger of abuse (other than financial abuse)
3. Officers should make a determination based on allegations of a recent incident of abuse or threat of abuse.

    Note: Officers may request an EPO whether or not the suspect is present or has been arrested.
4. Officers shall contact the on-call judge, commissioner, or referee designated to issue EPOs by telephone, or otherwise, and assert grounds for the belief that the order is appropriate.
5. Upon oral issuance of the order by the on-call judicial officer, the peace officer requesting the order shall reduce it to writing, using the approved judicial council form, and sign the order (Family Code Section 6270).
6. Officers shall serve a copy of the EPO on the restrained party if the party can be reasonably located [Family Code Section 6271(a)].
7. The officer shall give a copy of the EPO to the protected party [FC Section 6271(b)].
8. Within one business day of service of a court order, any law enforcement officer who serves a protective order shall submit proof of service directly into the California Restraining and Protective Order System (CARPOS), including the officer's name and agency, and transmit the original proof of service form to the issuing court [FC Section 6380(d)(1)].

GUIDELINE 9 Obligation to Maintain Records and Enforce Restraining Orders

1. Law enforcement agencies shall maintain complete and systematic records of all

protection orders with respect to domestic violence incidents, including orders that have not yet been served, issued pursuant to PC Section 136.2, restraining orders, and proofs of service in effect [PC Section 13710(a)(1)].

2. Law enforcement officers responding to domestic violence calls shall check on the existence, terms, and effective dates of protection orders.

3. If there are multiple, inconsistent orders, criminal restraining orders take precedence over civil restraining orders. If both orders are of the same type, the most recently issued takes precedence. unless an EPO has a higher level of protection for the victim(s) (PC Sections 166 and 273.6).

4. These orders remain valid regardless of the actions of the protected person. For example, if the protected person allows the restrained party back into the residence, the order remains valid. Notice that the terms and conditions of the protection order remain enforceable, notwithstanding any acts of the parties, and may be charged only by order of the court [PC Section 13711(c)].

5. When victims are not in possession of the order and officers cannot verify that they exist, officers shall write a report and provide the victims with the number and direct them to appropriate follow up contacts. Officers should consider obtaining an EPO for protection until the order can be authenticated.

   Protective or restraining orders that are issued by another state, or by a tribal or territorial court related to domestic or family violence, shall be deemed valid if the issuing court had jurisdiction over the parties and matter under the law of the state, tribe, or territory. There shall be a presumption of validity where an order appears authentic on its face (FC Section 6400 et seq). Registration of this order in California is not necessary for it to be considered valid and enforceable (FC Section 6400 et seq).

   > ***Note:*** If the law enforcement officer determines that there is probable cause to believe a valid Canadian domestic violence protection order exists and the order has been violated the officer shall enforce the terms of the order (FC Section 6452).

6. Officers shall, consistent with PC Section 13701(b), make a lawful arrest of a person without a warrant and take that person into custody whether or not the violation occurred in the presence of the arresting officer, in response to an alleged violation of a domestic violence protective or restraining order, when the peace officer has probable cause to believe the restrained party has notice of the order and has committed an act in violation of the order [PC Section 836 (c)(1)].

7. If the suspect has fled the scene, all due diligence will be expended to locate the suspect. If the suspect is not located officers shall write a report regarding the incident.

8. Officers shall enforce any workplace/corporate restraining order obtained by an employer to protect an employee who may be subject to violence as a result of

domestic violence or harassment (California Civil Code of Procedures Section 527.8).

9. Officers shall enforce any civil restraining order (PC Sections 527.6 and 527.8).
10. Upon request, law enforcement agencies shall serve the party to be restrained at the scene of a domestic violence incident or at any time the party is in custody [PC Section 13710(c)].
11. Within one business day of service of a court order, a law enforcement officer who serves a protective order shall submit proof of service directly into the Department of Justice California Restraining and Protective Order System (CARPOS), including the officer's name and agency, and transmit the original proof of service form to the issuing court [PC Section 6380 (d)(1)].

GUIDELINE 10 Tenancy

Officers should request a person who is not in lawful possession of the premises to leave when:

1. The complainant is in lawful possession of the premises, and
2. The complainant has requested that the person leave the premises

Note: The law prohibits a landlord from evicting a tenant based on acts of domestic violence committed against the tenant [CCP Section 1161.3(a)].

WEAPONS

GUIDELINE 11 Weapons

1. Officers at the scene of a domestic violence incident involving a threat to human life or a physical assault shall take temporary custody of any firearm or other deadly weapon in plain sight or discovered pursuant to a consensual or other lawful search, as necessary for the protection of the officers or persons present (PC Section 18250).

2. Upon taking custody of a firearm or other deadly weapon, the officer shall give the owner or person who possessed the firearm a receipt. The receipt shall describe the firearm or other deadly weapon and list any identification or serial number on the firearm. The receipt shall indicate where the firearm or other deadly weapon can be recovered, the time limit for recovery as required by this section, and the date after which the owner or possessor can recover the firearm or other deadly weapon (PC Section 18255).

3. If the weapon is not kept as evidence or contraband, and it can be lawfully possessed by the person in possession, officers shall keep the weapon for no less than 48 hours, nor more than five business days, after the seizure unless a civil action is to be filed (PC Section 18265).

4. If officers believe the return of the weapon or other deadly weapons taken pursuant to these provisions would likely result in endangering the victim or the person reporting the assault or threat, the officers or their agency may initiate a petition in Superior Court to determine if a firearm or other deadly weapon should be returned.

5. Officers should document the necessity, for the protection of the peace officer and/or other persons present, to inquire of the victim, the alleged abuser, or both, whether a firearm or other deadly weapon was present at the location, and, if there is an inquiry, whether that inquiry disclosed the presence of a firearm or other deadly weapon. Any firearm or other deadly weapon discovered by an officer at the scene of a domestic violence incident shall be subject to confiscation [PC Section 13730 (c)(3)].

   A person who owns, possesses, purchases, or receives a firearm knowing he or she is prohibited from doing so by the provision of a temporary restraining, protective, or gun violence restraining order as defined in PC Section 136.2, FC Section 6218, or Code of Civil Procedure Sections 527.6, 527.8 or 527.85 shall be punished under PC Section 29825(a).

REPORTS

GUIDELINE 12 Report Documentation

1. Each law enforcement agency shall develop an incident report form that includes a domestic violence identification code. In all incidents of domestic violence, a report shall be written and shall be identified on its face as a domestic violence incident [PC Section 13730(c)]. The report shall include at least the following information:

    a. A notation of whether the officers who responded to the domestic violence call observed any signs that the alleged abuser was under the influence of alcohol or a controlled substance

    b. A notation of whether the officers who responded to the domestic violence call determined if any law enforcement agency had previously responded to a domestic violence call at the same address involving the same alleged abuser or victim, and

    c. A notation of whether the officers who responded to the domestic violence call found it necessary for their protection, or the protection of other persons present, to inquire whether a firearm or other deadly weapon is present at the location, and if the inquiry disclosed the presence of a firearm or other deadly weapon; any firearm or other deadly weapon discovered by an officer at the scene of a domestic violence incident shall be subject to confiscation pursuant to PC Section 18250

    d. A notation of whether there were indications that the incident involved strangulation or suffocation. This includes whether any witness or victim reported any incident of strangulation or suffocation, whether any victim reported symptoms of strangulation or suffocation, or whether the officer observed any signs of strangulation or suffocation [PC Section 13730(c)(4)]

2. Upon request, agencies must provide to a domestic violence victim, or if the victim is deceased, their representative, report face sheets (within two days or with good cause, within five days) and incident reports (within five days or with good cause, within ten days) at no charge, and during regular business hours. The victim or their representative must provide valid identification [FC Section 6228 (b)(1)(2)].

3. When reports of domestic violence are made by medical clinics, hospitals, or any health care practitioners who are mandated reporters, agencies should respond and take all information necessary for a report. If the victim is no longer at the location, officers should attempt to locate the individual for follow-up investigation.

CHILDREN

Children have historically been the invisible victims of domestic violence. They are frequently injured or emotionally scarred by living with and witnessing domestic violence. Officers are encouraged to locate, calm, and reassure all children.

GUIDELINE 13 Interaction with Children

1. Officers should locate and identify all children in the home at a domestic violence scene.
2. Officers should list all children in the report (full name and date of birth), who reside at the location, or who are in the home periodically for court ordered visitations, even if they were not interviewed, for eligibility for victim's compensation.
3. Officers should interview all children in the home even if the parents state they did not observe the incident. Documentation of these interviews should include:
    a. A description of the child's location
    b. A description of child's demeanor, emotional state, condition of clothing, items significant to the child (i.e., special toys, pets) and physical condition to include visible or complained of injuries, and
    c. Quotations of statements made by the child
4. Follow agency protocols for contacting Department of Children and Family Services (PC Section 13732).

VICTIM ASSISTANCE MANDATES

GUIDELINE 14 Emergency Assistance to Victims [PC Section 13701(c)7]

Officers at the scene of a domestic violence incident must provide the victim with emergency assistance when needed. This includes but is not limited to:

1. Medical attention
2. Transportation to a shelter
3. Transportation to a hospital for treatment when necessary
4. Police/civil standby for removing personal property, and
5. Assistance in safe passage out of the victim's residence

GUIDELINE 15 Advise Victims of their Rights

1. Officers shall advise the victim that they have the right to a domestic violence advocate and a support person of their choosing present at any interview by law enforcement authorities, prosecutors, or defense attorneys (PC Section 679.05).
2. Inform the victim that their name, address, telephone number, and other contact information will remain confidential [PC Section 293(a) and Government Code Section (GC) Section 6254(2)(A)].
3. Assist the victim in pursuing criminal options by providing them with the report number, if available, and direct them to the proper investigation units [PC Section 13701(c)(8)].

GUIDELINE 16 Written Notice to Victims

Furnish Written Notice to Victims at the Scene Including [PC Section 13701(c)(9)]:

1. Notice that despite official restraint of the person alleged to have committed domestic violence, the restrained person may be released from jail at any time.

   Note: Officers should provide contact information for VINELink so victims are notified of offender custody status or release.
2. Information about other services in the community, where available, and how to contact them.
3. Information about shelter services and how to contact them.
4. Information about California's victim compensation program, and contact number: 1-800-777-9229.
5. Informing victims of domestic violence that they may ask the district attorney to file a criminal complaint.

6. Informing victims of their right to go to the superior court and file a petition requesting any of the following orders for relief:
    a. Order restraining the attacker from abusing victim and other family members
    b. Order directing the attacker to leave the household
    c. Order preventing the attacker from entering the residence, school, business, or place of employment of the victim
    d. Order awarding the victim or the other parent custody of, or visitation with, a minor child or children
    e. Order restraining the attacker from molesting or interfering with minor children in the custody of the victim
    f. Order directing the party not granted custody to pay support of minor children if that party has a legal obligation to do so
    g. Order directing the defendant to make specified debit payments coming due while the order is in effect
    h. Order directing that either or both parties participate in counseling
7. Inform the victim of the right to file a civil lawsuit for losses suffered as a result of the abuse, including medical expenses, loss of earnings and other expenses for injuries sustained, damage to property, and other related expenses incurred by the victim or any agency that shelters the victim.
8. In cases where the alleged violation is of subdivision (e) of PC Section 243 or PC Sections 261, 261.5, 262, 273.5, 286, 287, or 289, a “Victims of Domestic Violence” card shall be provided to the victim that contains, but is not limited to, the following information:
    a. Names and phone numbers of hotlines for local shelters for battered women and rape victim counseling centers within the county, including those centers specified in PC Section 13837, and the 24-hour counseling service telephone numbers
    b. Proper procedures for a victim to follow after sexual assault
    c. Statement that sexual assault by a person who is known to the victim, including the victim’s spouse, is a crime
    d. Statement that domestic violence or assault by a person who is known to the victim, including the victim’s spouse, is a crime, and
    e. Inform the victim that strangulation may cause internal injuries and encourage them, if appropriate, to seek medical attention
9. To provide or make available to each victim of the criminal act without charge or cost a “Marsy Rights” card (PC Section 679.026).